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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

ORIGINAL
(Red)

1875 New Hope Street
Norristown, PA 19401
215 270-1948

December 29, 1989

Mr. Dennis P. Carney, Chief
Superfund Removal Branch
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

Dear Mr. Carney:

This is in reply to your letter of December 14, 1989 to Wayne L. Lynn concerning the remediation of PCB contamination at the NVF Site in Kennett Square, Pennsylvania. Your correspondence indicates an intention to disregard this Department's position that additional excavation and removal of contaminated soils is necessary due to a lack of supporting documentation.

As you are aware, representatives of this Department have been meeting with officials from your agency and the NVF Company concerning PCB contamination in the "ditch" and "swale" areas of the site. At these meetings, and in memos to your agency, we have maintained that the only way to accomplish the proper and permanent remediation of this site is to excavate and remove contaminated soils. Our policy regarding such cases is to require remediation to background levels unless it is demonstrated that achieving such levels is not technically feasible. Such a demonstration has not been made in this instance and, from a review of past studies of this site, it appears that remediation to background is both feasible and appropriate.

The Department further believes that the proposed encapsulation project would violate provisions of The Solid Waste Management Act of 1980 (Act 97) in that it would, in effect, create hazardous or residual waste disposal site without the required permit from our Bureau of Waste Management. The disposal area would not meet design criteria specified in 25 Pa. Code Chapter 75. Also, creation of the disposal area would circumvent the public participation process contained in the aforementioned rules and regulations.

Lastly, the Department believes the creation of the encapsulation area would violate Chapter 101.1 of the rules and regulations promulgated under the Pennsylvania Clean Streams Law in that it would represent a source of potential pollution to the waters of the Commonwealth. We find no proof that encapsulation will permanently immobilize the PCB's. We feel there is a good possibility that, over time, migration of contaminants to both the Red Clay Creek and groundwater will occur.

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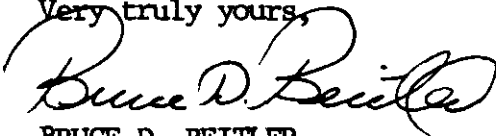
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For the aforementioned reasons, we respectfully request your agency reconsider the appropriateness of attempting to encapsulate PCB contamination at the NVF site. If you have any questions concerning this matter please contact me.

Very truly yours,



BRUCE D. BEITLER
Operations Manager

cc: Mr. Feola
Mr. Orwan
Mr. Luchie
Ms. Steele
Mr. Bonner
Re (RB4)363

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